



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Nicholas Alan Timothy COLFORD, et al. ) Confirmation No.: 7370  
)  
Application No. 09/934,082 ) Group Art Unit: 3727  
)  
Filed: August 22, 2001 ) Examiner: R. A. Hylton

For (As Amended): CONTAINER EQUIPPED WITH AT LEAST  
ONE DEFORMABLE CLOSURE DEVICE

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

**RECEIVED**

**APR - 9 2004**

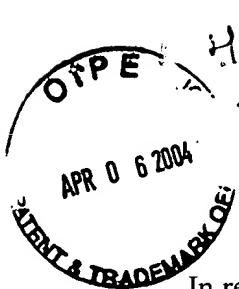
**TECHNOLOGY CENTER 3700**

**AMENDMENT AND REQUEST FOR  
RECONSIDERATION UNDER 37 C.F.R. § 1.111**

Sir:

The Office Action issued 17 December 2003 (Paper No. 14) has been reviewed and the comments of the U.S. Patent and Trademark Office have been considered. Please reconsider the application in view of the following amendments and the remarks hereinafter.

The period for replying to the Office Action has been extended one month through 17 April 2004.



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Commissioner for Patents  
U.S. Patent and Trademark Office  
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AMENDMENT TRANSMITTAL FORM

Sir:

1. Transmitted herewith is an Amendment and Request for Reconsideration Under 37 C.F.R. § 1.111 in reply to the Office Action dated 17 December 2003.
2. Additional papers enclosed:
  - [ ] Change of Correspondence Address
  - [ ] Request for Approval of Drawing Change
  - [ ] Transmittal of Drawing Replacement Sheet(s)
  - [ ] Information Disclosure Statement
  - [ ] Form PTO-1449, \_\_\_\_\_ reference(s) included
  - [ ] Citations
  - [ ] Declaration of Biological Deposit
  - [ ] Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	14	minus	36	0	x \$18 each =	+ \$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	2	minus	3	0	x \$86 each =	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$270.00	+ \$ 0.00
<b>SUB-TOTAL =</b>						<b>\$ 0.00</b>
Reduction by ½ for filing by a small entity						- \$ 0.00
<b>TOTAL FEE =</b>						<b>\$ 0.00</b>

6. Fee Payment

[ ] No fee is to be paid at this time.


[X] The Commissioner is hereby authorized to charge **\$110.00** to Deposit Account No. 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees that may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Date: 6 April 2004

By:   
Scott J. Anchell  
Reg. No. 35,035

**CUSTOMER NO. 009629**  
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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Extension of time fee due with this request: \$110.00

If an additional extension of time is required, please consider this a Petition therefore.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefore of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).